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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
097129,110	08/04/98	GENOV G	010063-061

MM51/0419  
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EXAMINER  
SIRCUS, B

ART UNIT	PAPER NUMBER
2837	4

DATE MAILED: 04/19/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.  
09/129,110

Applicant(s)  
Genov, Deceased et al.

Examiner  
Brian Sircus

Group Art Unit  
2837



☐ Responsive to communication(s) filed on \_\_\_\_\_

☐ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-7 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-5 and 7 is/are rejected.

☒ Claim(s) 6 is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mizuno et al. (5,876,325) and Klieman et al. (5,582,617). Mizuno et al. discloses a multi link surgical manipulator that rotates about its base which reads on the theta motion and which may extend or retract the links which reads on the radial motion. Plural end effectors may be located at the end of the final link (figs 25c, 31b, 33). It appears that in figures 31b and 33 the manipulators may be moved in multiple directions but it is unclear if these directions read on yaw. Klieman et al. discloses a surgical instrument in which the end effector may operate as scissors with each blade of the scissors operating independently. The motion of the scissors reads on yaw motion. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified at least one of the surgical manipulators of Mizuno et al. to use a scissors implement because Klieman et al. teaches that scissors are useful surgical tools. Mizuno et al. discloses motors located in various locations throughout the different links. Figure 50 disclose Z motion.

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3. Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Otsuka et al., Zaremsky et al., disclose a robotic grabbers.

Schulz discloses an end effector with digits.

Bacchi et al., Tietz, Solomon et al., Ueyama et al., disclose dual end effectors.

Wang et al., Smith et al., disclose surgical robots.

Stevens ('306, '311), Nakagawa et al., disclose wafer handling devices.

Nagamiatsu et al., Lorenz et al, Wytman disclose dual armed robots.

Genov et al. ('340, '784, '890), Poduje et al, Tateyama et al., Maydan et al., disclose cartridge handling robots.

Herzog discloses a sensor with elevator tilt correction.

Tabata et al. discloses a robot controller.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Sircus whose telephone number is (703) 308-3119, Monday through

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Thursday between 8:30 and 5:00 and whose E-mail is [brian.sircus@uspto.gov](mailto:brian.sircus@uspto.gov). Please do not send confidential information via e-mail.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1782.

The group fax number is (703) 305-3431 or -3432. Please identify the application number, the examiner, the art unit and a telephone number by which you may be reached on the cover page when sending a fax.

If necessary the examiner's supervisor, William Shoop, may be reached at (703) 308-3103.



**Brian Sircus**

**Primary Examiner**

**April 11, 1999**